

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

ORIGINAL

2023 AUG -3 PM 2:00

DEPUTY CLERK A6C

Vikki R Coleman  
Plaintiff

v.

Swift Transportation  
Defendant

**8-23CV1729-G**

Civil Action No.

COMPLAINT

1. Vikki R Coleman P. O. Box 171923 Dallas, Texas 75217 Vikkicoleman1908@aol.com  
214-274-1691 cell , IAm filing a lawsuit against Swift Transportation 3250 N Longhorn Dr Lancaster Tx 75134  
1-800-800-2200 / Lena Dasher , Personnel / Human Resources 623-907-7812.
2. I believe US District Court for the Northern District of Texas has the power / jurisdiction to decide my case .
3. Based on my claim made to EEOC they have given me the right to sue for wrongful termination and Harrasment.  
EEOC, I was given. 90 day to file the charge which will be exhausted on August 3, 2023 therefore I am filing a par  
se.
4. The legal injuries i have sufferd are the following; Denied Job Promotion / Income loss {\$130K} benefits ,  
Decline in Health (Stress/Hypertension). The following Swift Empoyees responsible for My legal injuries are :  
Benard Hall-Fleet Manager, Shannon Stafford, Fleet Manager, Jesse Whitmore Terminal Manager , Christine Smith  
Site Human Resources and Selen Washington, Corporate Human Resources

\* Attach additional pages as needed.

Date August 3, 2023

Signature \_\_\_\_\_

Print Name Vikki R. Coleman

Address P.O. Box 171923

City, State, Zip Dallas Texas 75217

Telephone 214-274-1691

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>  This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To:      Agency(ies) Charge No(s):  <div style="display: flex; justify-content: space-between;"> <span>EEOC</span> <span><b>450-2023-05002</b></span> </div> <div style="display: flex; justify-content: space-between;"> <span>FEPA</span> <span></span> </div>	
<b>Texas Workforce Commission Civil Rights Division</b>		and EEOC	
<i>State or local Agency, if any</i>			
I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Ms. Vikki R. Coleman		Home Phone 214-274-1691	Year of Birth
Street Address P.O. Box 171923 DALLAS, TX 75217			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Swift Transportation		No. Employees, Members 15 - 100 Employees	Phone No.
Street Address 3250 Longhorn Dr LANCASTER, TX 75134			
Name		No. Employees, Members	Phone No.
Street Address      City, State and ZIP Code			
DISCRIMINATION BASED ON  Retaliation, Sex		DATE(S) DISCRIMINATION TOOK PLACE  <div style="display: flex; justify-content: space-between;"> <span>Earliest</span> <span>Latest</span> </div> <div style="display: flex; justify-content: space-between;"> <span>07/19/2022</span> <span>04/20/2023</span> </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <b>I. PERSONAL HARM:</b>  1. On April 20, 2023, I was wrongfully terminated from the Driver Leader position by Benard Hall (Manager), David Wise (Terminal Manager), and Shannon Stafford (Fleet Manager). However, Jay Crouch and Joshua Elswick have both struggled with positions and was transferred to another position instead of being terminated.  2. Beginning in July 2022 I was harassed by Benard Hall and Shannon Stafford (Fleet Manager) in that I was being written up for issues that I asked for assistance with and was insufficiently trained. On December 13, 2022, I made a complaint regarding not being sufficiently trained and harassed by the Fleet Managers regarding things that I was allegedly doing incorrectly despite having asked for training.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.  <b>Digitally Signed By: Ms. Vikki R. Coleman</b>  <b>05/03/2023</b>  <div style="text-align: right;"><i>Charging Party Signature</i></div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT   SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EEOC Form 5 (11/09)

<p style="text-align: center;"><b>CHARGE OF DISCRIMINATION</b></p> <p style="text-align: center;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To:      Agency(ies) Charge No(s):</p> <p style="text-align: center;">EEOC      <b>450-2023-05002</b></p> <p style="text-align: center;">FEPA</p>
<p style="text-align: center;"><b>Texas Workforce Commission Civil Rights Division</b>      and EEOC</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

3. I applied for the Area Sales Manager position twice and was not selected, but a White candidate was hired instead.

**II. RESPONDENTS REASON FOR ADVERSE ACTION:**

I was informed that I was being as terminated due to struggling for two weeks with her empty and loading calls in which it was decided that they would just part ways. However, there was no explanation as to why I never received sufficient training and was written up for issues I asked for help with.

**III. DISCRIMINATION STATEMENT:**

I believe that I was discriminated against because of my sex (Female), in violation of Title VII of the Civil Rights Act of 1964, as amended as well as retaliated against in violation of Section 704(a) of Title VII of the Civil Rights Act of 1964, as amended.

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p><b>Digitally Signed By: Ms. Vikki R. Coleman</b></p> <p><b>05/03/2023</b></p> <p style="text-align: right;"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p>  <p>SUBSCRIBED    AND    SWORN    TO    BEFORE    ME    THIS    DATE</p> <p style="text-align: center;"><i>(month, day, year)</i></p>



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Dallas District Office  
207 S. Houston Street, 3rd Floor  
Dallas, TX 75202  
(800) 669-4000  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 05/03/2023

To: Ms. Vikki R. Coleman  
P.O. Box 171923  
Dallas, TX 75217

Charge No: 450-2023-05002

EEOC Representative and email: Yolanda Brown  
EO Investigator  
[yolanda.brown@eeoc.gov](mailto:yolanda.brown@eeoc.gov)

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### **DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 450-2023-05002.

On behalf of the Commission,

Digitally Signed By: Travis M. Nicholson  
05/03/2023

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Travis M. Nicholson  
Acting District Director

**Cc:**

Selena Washington, HR  
Swift Transportation  
2200 South 75th Avenue  
Phoenix, AZ 85043  
selena\_washington@swifttrans.com

Please retain this notice for your records.



SEPARATION NOTICE

1. Employee Name: VIKKI COLEMAN 2. SSN: 453-47-2597
3. Last Employed: From 7/01/2021 To 4/20/2023 Occupation: LANTX-DRIVER LDR II-LH
4. Where was work performed? TERMINAL OPS
5. REASON FOR SEPARATION: Lack of Work \_\_\_ Discharge XX Quit \_\_\_
- Explanation: CPV-OTHER (BE SPECIFIC)
6. Employee received: \_\_\_ Wages in Lieu of Notice \_\_\_ Separation Pay \_\_\_ Vacation Pay
- In the amount of \$ \_\_\_\_\_ for the period from \_\_\_\_\_ to \_\_\_\_\_

Employer Name: SWIFT TRANSPORTATION, INC.

Attention: COMPLIANCE DEPARTMENT

Address: 2200 SOUTH 75TH

City: PHOENIX State: AZ 85043

I certify that the above worker has been separated from work and the information furnished hereon is true and correct. This report has been handed to or mailed to the worker.

Corporate Cost Control, Inc.(800)-683-1048

NOTICE TO EMPLOYEE

1) TAKE THIS NOTICE TO THE EMPLOYMENT SECURITY CLAIMS OFFICE IF YOU WISH TO FILE A CLAIM FOR UNEMPLOYMENT INSURANCE BENEFITS.

2) VISA HOLDERS - VISA HOLDER PLEASE NOTE THAT UPON SEPARATION OF EMPLOYMENT SWIFT WILL CONTACT UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) TO NOTIFY THEM OF THE SEPARATION. YOU ARE ADVISED TO SEEK LEGAL COUNSEL AS TO THE IMPACT OF YOUR SEPARATION FROM THE COMPANY RELATIVE TO YOUR ABILITY TO REMAIN IN THE UNITED STATES.

VIKKI COLEMAN

PO BOX 171923

DALLAS

TX 75217

## RE: Swift Transportation Separation Notice

From: Lena Dashner (lena\_dashner@swifttrans.com)

To: vikkicoleman1908@aol.com

Date: Tuesday, May 23, 2023 at 02:44 PM CDT

Hello,

These notices are system generated and not something we create.

### Lena Dashner

Personnel/Human Resources

Direct Number 623-907-7812

Personnel Pool Line 623-907-7721



**From:** vikkicoleman1908 <vikkicoleman1908@aol.com>

**Sent:** Tuesday, May 23, 2023 12:28 PM

**To:** Lena Dashner <Lena\_Dashner@Swifttrans.com>; vikkicoleman1908@aol.com

**Subject:** Swift Transportation Separation Notice

[External Email] This email originated from outside the organization. Review the sender's email address and mouse over links before clicking or responding. Validate any requests or attachments before proceeding. If in doubt, contact the help desk.

Hello Lena,

I would like this separation info on official company letter head for Authenticity purposes. Your attention to this fourth request is GREATLY appreciated.

Sincerely,

Vikki Coleman

Ex Employee Number 457649

----- Original message -----

From: Lena Dashner <[Lena\\_Dashner@Swifttrans.com](mailto:Lena_Dashner@Swifttrans.com)>

Date: 5/23/23 10:57 AM (GMT-06:00)

To: [Vikkicoleman1908@aol.com](mailto:Vikkicoleman1908@aol.com)

Subject: Separation Notice

Vikki,

Here is the separation notice that you requested.

This E-mail was sent from "PPHXPRO28" (MP 5055).

Scan Date: 05.23.2023 08:56:15 (-0500)

Queries to: [sharescan@swifttrans.com](mailto:sharescan@swifttrans.com)



# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Vikki Coleman P.O. Box 171923 Dallas Tx 75217

(b) County of Residence of First Listed Plaintiff Dallas  
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

NONE

## DEFENDANTS

Swift Transportation 3250 Longhorn Dr Lancaster Tx 75134

County of Residence of First Listed Defendant Dallas  
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

UNKNOWN

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                                   |   | PTF                        | DEF                        |
|---|----------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2            | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Employment 442

Brief description of cause:

Harrassment / Wrongful Termination

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

08/03/2023

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_